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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,575	07/02/2003	William A. Montemer	ICHGP006	4267

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EXAMINER

MYINT, DENNIS Y

ART UNIT PAPER NUMBER

2162

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/612,575

Applicant(s)

MONTEMER, WILLIAM A.

Examiner

Dennis Myint

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/02/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>07/02/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. 1 claim has been examined.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Desmond et al. (U.S. Patent Number 6269337) in view of Hanson et al., (U.S. Patent Application Publication Number 2002/0143560).

Referring to claim 1, Desmond et al. is directed to a system and method of sharing directory listings in a distributed environment using a computer network comprising:

maintaining a database including a plurality of directory listings (Desmond et al., Figure 2 "Enhanced Information DB" 440, and column 3 line 44-56), wherein each listing is associated with a referral phone number (Desmond et al., column 3 line-50-54) and at least one keyword ("enhanced directory assistance information" Desmond et al., column

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4, line-1) publishing directory listings into a shared data system (Desmond et al., column 3 line-58 through column 4 line-14);

receiving a directory assistance request in the form of a keyword from the customer (Desmond et al., column 3 line-44-56);

identifying the directory listings from the shared data system (Desmond et al., column 4, line-1-26);

having keyword terms generating a match with the request (Desmond et al., column 4 line-1-14+); and

selecting one of the directory listings (Desmond et al., column 4 line1-14).

Desmond et al. does not explicitly disclose that the said system and method comprises associating each listing with a bid amount, including a directory owner who is willing to pay for a single phone referral, ordering the identified directory listings into a phone number result list in accordance with the values of the bid amounts for the identified directory listings, generating a paid referral business transaction and associating it with the listing owner's advertising account, and generating one or a plurality of derivative business transactions to execute the business processes involved in the referral transaction.

However, Hanson et al. teaches a method for matching goods and services of different vendors with potential buyers wherein:

each listing is associated with a bid amount ("fee" , Hanson et al., paragraph 40),

a directory owner is willing to pay for a single phone referral ("vendor advertisement"),

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the identified directory listings is ordered into a phone number result list in accordance with the values of the bid amounts for the identified directory listings ("placing the advertisement first in the list of advertisements", Hanson et al., paragraph 0040),

generating a paid referral business transaction and associating it with the listing owner's advertising account ("fee schedule", Hanson et al., Paragraph 0040), and

generating one or a plurality of derivative business transactions to execute the business processes involved in the referral transaction (Hanson et al., Paragraph 0040).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the system and method for enhanced directory assistance taught by Desmond et al., with the system and method for fee-based listing taught by Hanson et al. so that the combined system and method would comprise all the steps specified in the claim. One would have been motivated to do so in order to generate revenue for the enhanced directory assistance service.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Myint whose telephone number is (571) 272-5629. The examiner can normally be reached on 8:30AM-5:30PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dennis Myint


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER